



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
South Central Region

505 Marquette Avenue, N.W., Suite 815
Albuquerque, New Mexico 87102



February 28, 1983

Confidential Claim Retracted

Authorized by: SC

Date: 4/29/83

RECEIVED

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PUEBLO OF LAGUNA
GOVERNOR'S OFFICE

Mr. Edwin Martinez
Governor
Pueblo of Laguna
P. O. Box 194
Laguna, New Mexico 87026

Dear Governor Martinez:

Attached is a letter from Richard A. Dick which discusses Lewis Oriard's report entitled, "Seismic Effects of Blasting Operations of Anaconda Minerals Company on the Village of Pagate, New Mexico."

~~Mr. Dick is a specialist in the effects of blasting with the U. S. Bureau of Mines, and is one of the most experienced men in this field. Mr. Dick concludes that it is unlikely that Anaconda's blasting caused structural damage to the homes in Pagate, and that Oriard's report would be very difficult to refute on technical grounds. Although Mr. Dick's comments are not very emphatic, I do not believe that we will be able to prove that Anaconda's blasting caused any structural damage to the Pagate homes.~~

Nevertheless, I believe Anaconda is willing to seek a financial settlement with the Pueblo on this issue. We should pursue a settlement through the negotiating committee. It can be argued that:

- .. The noise from the blasting disrupted the lives of the Pagate residents.
- .. Blasting caused cosmetic damages to the Pagate homes.
- .. Dust from the mining operations disrupted the lives of the Pagate residents.
- .. The mine was an eyesore to the Pagate residents for 30 years.



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POL-EPA01-0001724

I believe the residents of Pagate should receive compensation for these impacts. It should be made clear to Anaconda that the Pueblo cannot accept any reclamation proposal without the approval of Pagate, and that Pagate will not give this approval without some compensation. If I may assist you in this matter, please contact me.

Sincerely yours,



Marc E. Nelson
EIS Task Force Leader

XC: Ron J. Solimon ✓